

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EMANUEL DELACRUZ, on behalf of himself and
all others similarly situated,

Plaintiffs,

-against-

ENERGY HEALTH & FITNESS CORP., d/b/a
ENERGY FITNESS,


Defendant.

Docket No: 1:18-cv-07463-GHW
NOTICE OF SETTLEMENT

Now comes the Plaintiff EMANUEL DELACRUZ, by and through counsel, to provide notice to the Court that the present cause has been settled between the parties, and state:

1. A settlement agreement (“Agreement”) is in the process of being finalized. Once the Agreement is fully executed, and Plaintiffs have received the consideration required pursuant to the Agreement, the parties will submit a Stipulation of Dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and will therein request that the case be dismissed and closed.
2. The parties respectfully request that the Court stays this case and adjourns all deadlines and conferences.

Respectfully submitted,

By: 
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Dated: Brooklyn, New York
October 29, 2018